

McClain, Sean@Waterboards

From: McClain, Sean@Waterboards
Sent: Thursday, April 10, 2014 12:26 PM
To: 'gregory@designopera.com'
Subject: 1845 Island Avenue, San Diego CA (Case No. T10000000451)

Mr. De Pena:

According to our records, you are the Responsible Party for the subject former leaking underground storage tank case. This case has been transferred from the County of San Diego to the San Diego Water Board for regulatory oversight. Our records show that the proposed work in the *Subsurface Assessment Work Plan*, dated December 4, 2009 has not been completed. The San Diego Water Board's mission is to protect water quality and our goal is to move your case to closure as efficiently as possible in accordance with the Low Threat Underground Storage Tank Case Closure Policy (LTCP) that can be found here:

http://www.waterboards.ca.gov/water_issues/programs/ust/lt_cls_plcy.shtml

The LTCP clearly identifies the criteria needed to be met to close a LUST case cost effectively while still protecting human health and the environment. Please contact me by April 29, 2014 to arrange a convenient time for us to meet with you to discuss your case and the next steps necessary to move this case to closure.

Our desire is to work cooperatively with Responsible Parties to expedite the closure process, decrease costs, and ensure that any risks to human health and the environment are addressed. However, if we do not hear from you in a timely manner, and if this case does not move forward with those actions needed to comply with the LTCP and achieve closure, the next step will be to initiate enforcement. For example, the issuance of a Cleanup and Abatement Order in accordance with California Water Code section 13304 will establish deadlines for collecting data and submitting reports. Failure to comply with the requirements of a Cleanup and Abatement Order may subject you to imposition of administrative liability not to exceed \$5,000 for each day in which the violation occurs.

Regards,

Sean McClain
Engineering Geologist
619.521.3374



The San Diego Water Board has moved!, our new address is: 2375 Northside Drive, Suite 100 San Diego, CA 92108.